REMARKS

In response to the Office Action mailed June 6, 2003, Applicants respectfully request reconsideration. To further the prosecution of this Application, Applicants submit the following remarks, and have added new claims. The claims as now presented are believed to be in allowable condition.

Claims 1-20 were pending in this Application. By this Amendment, claims 21-29 have been added. Accordingly, claims 1-29 are now pending in this Application. Claims 1, 8 and 16 are independent claims.

Objection to the Drawings

The Drawings were objected to due to a minor informality in Fig. 2. Applicants wish to thank Examiner Nino for pointing out this informality, and an appropriate cure. Applicants have enclosed a proposed drawing correction to cure this minor informality. No new matter has been added. Accordingly, the objection to the Drawings should be withdrawn.

If the Patent Office accepts this proposed drawing correction, Applicants will submit a corrected formal drawing in due course.

The Specification

The Specification was objected to due to a couple of minor informalities.

In particular, the Office Action points out an informality in a reference numeral on page 10, line 4 of the Specification. Applicants wish to thank Examiner Nino for pointing out this minor informality and an appropriate amendment. Applicants have made this correction to page 10, line 4.

Additionally, the Office Action contends that the title should read "APPARATUS AND METHOD ..." rather than "METHODS AND APPARATUS...". Applicants respectfully disagree. There is no basis under any statute, rule or guideline requiring such a change. Nevertheless, to further the prosecution of this Application, Applicants have amended the title as requested.

Applicants submit that no new matter has been added by the amendments to the Specification. Accordingly, the objection to the Specification should be withdrawn.

Objections to the Claims

Claims 8, 15 and 16 were objected to due to a few minor claiming informalities. Applicants wish to thank Examiner Nino for identifying these informalities and providing appropriate amendments to cure these informalities. Applicants have made clarifying amendments to claims 8, 15 and 16 along the lines proposed by Examiner Nino or similar lines in order to cure these informalities. Accordingly, the objections to claims 8, 15 and 16 should be withdrawn.

Allowed Claims

Claims 7, 14, 15, 19 and 20 were objected to as being dependent upon a rejected base claim but were deemed allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. In view of Applicants traversal of the independent claims below, Applicants have not rewritten these claims into independent form. Nevertheless, Applicants respectfully reserve the right to amend claims 7, 14, 15, 19 and 20 at a later time (i.e., to place them in independent form and into allowable condition) depending on the results of this Amendment.

Rejections under §102

Claims 1-6, 8-13 and 16-18 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,011,421 (Duke et al.). Applicants respectfully traverse this rejection and request reconsideration. The claims are in allowable condition.

Duke discloses an assembly which connects two three-phase systems with each phase of each system having three bars per phase (column 3, lines 55-

57 and Fig. 3). The neutral line also has three conducting bars (column 3, lines 57-58). The first phase, A, has three co-planar busbars 82, 83, 84 which are "gang-connected" with a connecting plate 87 (column 3, lines 59-63 and Fig. 3). Such ganging is also illustrated in Fig. 2 of Duke by bars 41, 43, 45 and plate 51 for phase A (column 3, lines 3-4 and Fig. 2). A similar plate is provided underneath bars 82, 83, 84 and the bars are fastened to connecting plate 87 by bolts and nuts 89 (column 3, lines 63-68). This second plate is also illustrated in Fig. 2 of Duke by plate 53 (column 3, lines 14-24 and Fig. 2). Duke further discloses similar ganging for three bars 48 for phase B (column 3, lines 4-6), for another three bars 50 phase C (column 3, lines 6-8), and for yet another three bars 54 for the neutral line N (column 3, lines 8-10). As a result, the assembly in combination with connectors 1 (Fig. 1) enables maintenance of an ampere rating from one busway to the next (column 3, lines 39-42), as well as a plane change, such as a ninety degree plane change of the plane between busways (column 4, lines 26-29).

Claims 1-6

Claim 1 is directed to a bus bar assembly which includes a power supply member that couples to a power supply and a backplane member that couples simultaneously to multiple backplanes. The backplane member defines multiple rows of holes. Each row of holes includes at least two holes. The bus bar assembly further includes a set of fasteners that fasten the power supply member to the backplane member in order to provide a conductive path between the power supply and the multiple backplanes.

The cited prior art does not disclose a bus bar assembly having a backplane member that couples simultaneously to multiple backplanes, as recited in claim 1. Rather, Duke discloses an assembly which includes, for one of three phases such as phase A, three co-planar busbars 82, 83, 84 which are "gang-connected" with a connecting plate 87 (see column 3, lines 59-63 and Fig. 3 of Duke). In a similar manner, Duke further discloses plates 51, 53 which

gang-connects bars 41, 43, 45 for phase A (see column 3, lines 3-24 and Fig. 2 of Duke). In Duke, such ganging of the busbars 82, 83, 84 and the bars 41, 43, 45 enables maintenance of an ampere rating from one busway to the next (see column 3, lines 39-42 of Duke).

The Office Action contends on page 3, second to last paragraph, that the Duke plates 51, 53 are multiple backplanes,. Applicant respectfully traverses this contention. The Duke plates 51, 53 are clearly not multiple backplanes. A backplane is a device (e.g., a motherboard) which connects together multiple circuit boards to provide communication therebetween. This definition for the term "backplane" is common to those of ordinary skill in the art. There is clearly no way that the Duke plates 51, 53 are capable of operating to provide communication between circuit boards while still perform there operation of maintaining an ampere rating for the bars 41, 43, 45 from one busway to the next. Moreover, it is unclear how one could modify to the Duke plates 51, 53 to provide communication between circuit boards without losing their ability to maintain the ampere rating for the bars 41, 43, 45 since the plates 51, 53 are clearly solid, contiguous, monolithic conductive sheets. Why would the bars 41, 43, 45 of Duke want to communicate with each other?

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."[1] "The identical invention must be shown in as complete detail as is contained in the ... claim."[2] Since (i) Duke discloses connecting plates to connect busbars in order to maintain ampere ratings, (ii) Duke does not disclose backplanes, and (iii) it is unclear how one could replace the Duke connecting plates with backplanes and still maintain proper operation of the Duke assembly (i.e., maintain ampere ratings), Duke does not anticipate the invention recited in claim 1.

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[1] *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

[2] *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

For the reasons stated above, claim 1 patentably distinguishes over the cited prior art, and the rejection of claim 1 under 35 U.S.C. §102(b) should be withdrawn. Accordingly, claim 1 is in allowable condition.

Because claims 2-6 depend from and further limit claim 1, claims 2-6 are in allowable condition for at least the same reasons.

Claims 8-13

Claim 8 is directed to an electronic system which includes a power supply, multiple backplanes, and a bus bar assembly electrically interconnected between the power supply and the multiple backplanes. The bus bar assembly includes a power supply member that couples to the power supply, and a backplane member that couples simultaneously to the multiple backplanes. The backplane member defines multiple rows of holes. Each row of holes includes at least two holes. The bus bar assembly further includes a set of fasteners that fasten the power supply member to the backplane member in order to provide a conductive path between the power supply and the multiple backplanes.

The cited prior art does not disclose an electronic system which includes a bus bar assembly having a backplane member that couples simultaneously to multiple backplanes, as recited in claim 8. Rather, as mentioned above in connection with claim 1, Duke does not disclose any bus bar assembly having a backplane member that couples simultaneously to multiple backplanes. Accordingly, claim 8 patentably distinguishes over the cited prior art for at least the same reasons as claim 1. Thus, the rejection of claim 8 under 35 U.S.C. §102(b) should be withdrawn, and claim 8 is in allowable condition.

Because claims 9-13 depend from and further limit claim 8, claims 9-13 are in allowable condition for at least the same reasons.

Claims 16-18

Claim 16 is directed to a method for electrically connecting a power supply to multiple backplanes. The method includes the step of fastening a power

supply member, which is configured to couple to the power supply, to a backplane member, which is configured to couple simultaneously to the multiple backplanes, using a set of fasteners in order to form a bus bar assembly. The backplane member defines multiple rows of holes. Each row of holes includes at least two holes. The method further includes the steps of coupling the power supply member of the bus bar assembly to the power supply, and coupling the backplane member of the bus bar assembly simultaneously to the multiple backplanes in order to provide a conductive path between the power supply and the multiple backplanes.

The cited prior art does not disclose a method for electrically connecting a power supply to multiple backplanes, as recited in claim 16. Rather, as mentioned above in connection with claim 1, Duke does not disclose coupling to multiple backplanes. Accordingly, claim 16 patentably distinguishes over the cited prior art for at least the same reasons as claim 1. Therefore, the rejection of claim 16 under 35 U.S.C. §102(b) should be withdrawn, and claim 16 is in allowable condition.

Because claims 17-18 depend from and further limit claim 16, claims 17-18 are in allowable condition for at least the same reasons.

Newly Added Claims

Claims 21-29 have been added and are believed to be in allowable condition. Claims 21-23 depend from claim 1. Claims 24-26 depend from claim 8. Claims 27-29 depend from claim 16. Support for claims 21-29 is provided within the Specification, for example, on page 7, line 28 through page 8, line 22; on page 11, line 25 through page 12, line 1; and in Figs. 1-2. No new matter has been added.

Conclusion

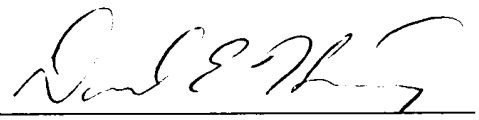
In view of the foregoing remarks, this Application should be in condition for allowance. A Notice to this affect is respectfully requested. If the Examiner

believes, after this Amendment, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' Representative at the number below.

Applicants hereby petition for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this Amendment, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,



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